

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 8439

Petition of Vermont Electric Cooperative, Inc., pursuant )  
to 30 V.S.A. § 219a(n), 30 V.S.A. § 248(j), and the )  
Board's Section 8007(b) Order, for a certificate of )  
public good authorizing the construction of a 1.0 MW )  
Group Net-Metered Photovoltaic Electric Generation )  
Facility in Alburgh, Vermont )

Order entered: 5/27/2016

**ORDER CONSENTING TO THIRD TRANSFER OF CERTIFICATE OF PUBLIC GOOD**

**I. INTRODUCTION**

On May 22, 2015, the Vermont Public Service Board ("Board") issued an Order granting a certificate of public good ("CPG") to Vermont Electric Cooperative, Inc. ("VEC"), pursuant to 30 V.S.A. § 219a, 30 V.S.A. § 248, and the Section 8007(b) Order,<sup>1</sup> authorizing VEC to install and operate a 1.0 MW group net-metered photovoltaic electric generation facility in Alburgh, Vermont (the "Project"). In today's Order, we consent to the transfer of the CPG from VEC to SoCore VT Alburgh, LLC ("SoCore VTA").

**II. PROCEDURAL HISTORY/BACKGROUND**

On July 27, 2015, VEC filed a motion to transfer its CPG for the Project to CMES, a Delaware-formed entity.

On August 20, 2015, the Board issued an Order consenting to the requested CPG transfer.

On February 3, 2016, VEC filed a motion to transfer the CPG from CMES back to VEC.

On February 25, 2016, the Board issued an Order consenting to the requested CPG transfer.

---

1. *Simplified Procedures for Renewable Energy Plants with a Capacity between 150 kW and 2.2 MW*, Order of 8/31/2010.

On May 2, 2016, VEC filed a motion (“Motion”) to transfer the CPG from VEC to SoCore VTA. The Motion includes affidavits from VEC Chief Operating Officer Jeffery M. Wright and SoCore VTA Senior Vice President Eric R. Luesebrink.

Mr. Wright attests in his affidavit to the following: (1) VEC consents to the transfer of the CPG to SoCore VTA; (2) after the transfer, VEC and its members will continue to receive 100% of the Project’s output; (3) the transfer would allow VEC to maintain a low per kW price for the Project because SoCore VTA can take advantage of federal tax credits and pass on that benefit to VEC; and (4) the transfer of the CPG would have no impact on any of the Board’s findings regarding the Project’s compliance with each of the Section 248 criteria or with the Board’s finding that the Project will promote the general good of the State.

Mr. Luesebrink, who manages SoCore VTA’s development and acquisition of solar electric generating projects across the country, including in Vermont, attests in his affidavit to the following: (1) SoCare VTA is: (a) a State of Delaware limited liability company with a principal business address of 225 W. Hubbard, Suite 200, Chicago, IL 60654, (b) registered to do business in the State of Vermont, and (c) in good standing; (2) SoCore VTA is an indirect wholly owned subsidiary of Edison International, a publicly traded company based in California; (3) SoCore VTA and its subsidiaries operate and maintain more than 200 photovoltaic solar projects they have installed in more than 12 states across the country; (4) upon transfer of the CPG, SoCore VTA will construct, own, and operate the Project; (5) SoCore VTA agrees to be fully bound by and comply with all terms and conditions of the Final Order and CPG issued on May 22, 2015, for the Project; and (6) the transfer of the CPG to SoCore VTA would have no impact on any of the Board’s findings regarding the Project’s compliance with each of the Section 248 criteria or with the Board’s finding that the Project will promote the general good of the State.

On May 16, 2016, the Vermont Department of Public Service filed a letter stating that it had reviewed VEC’s Motion and has no objection to the transfer.

No other comments or filings were received.

### **III. DISCUSSION AND CONCLUSION**

Based upon our review of VEC’s Motion and in the absence of any objections, we conclude that the proposed transfer of the CPG from VEC to SoCore VTA does not raise any significant issues with respect to the applicable substantive criteria of Section 248(b). Our conclusion rests largely on

the following points: (1) We have already determined that the installation and operation of the Project will promote the general good of the State, and (2) SoCore VTA will assume all obligations of the CPG. Therefore, we consent to the transfer of the CPG from VEC to SoCore VTA, and a certificate of consent to that effect shall be issued.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 27th day of May, 2016.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/Margaret Cheney</u>	)	BOARD
	)	
	)	OF VERMONT
	)	

OFFICE OF THE CLERK

FILED: May 27, 2016

ATTEST: s/Judith C. Whitney  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.*